

FILED
JAN 26 2021
LESLI PENNY
COUNTY & PROBATE COURT CLERK

QUORUM COURT MINUTES
JANUARY 11, 2021

January 11, 2021 Quorum Court Minutes

13 Justices of the Peace were present, mainly by Zoom. Justices Steve Cline, Josh Longmire, Vince Percy, and Richard Rogers were on-site. Also present by Zoom were Terry McNatt, Wes Eddington and Lesli Penny.

Justice Cline called the meeting to order at 5:30 pm. Judge Day was absent.

Invocation given by Jeremy Jones, Pastor, St. Paul AME

Assembly and Pledge of Allegiance.

First order of business was approval of Quorum Court minutes from 12.21.2020. A motion to accept was made by Justice Weinstock and seconded by Justice Longmire. Justice Cline took a vote and it passed unanimously.

Old business. 2nd reading of Ordinance setting forth professional services to include technological needs and service-related agreements (addendum A). Justice Cline took a motion to read by title only. Motion was made by Justice Price and seconded by Justice Williams. Roll was called and passed unanimously.

No other old business.

An ordinance was read (addendum B) setting the rules of procedure for the Craighead County Quorum Court. A motion to suspend the rules on the second reading was made by Justice Longmire and seconded by Justice Rogers. A motion was made by Justice Cline to read the ordinance by title only and seconded by Justice Longmire. Roll was called and passed unanimously. The title was read again, and a motion was made to suspend the rules and have the third reading by title only. A motion was made by Justice Couch and seconded by Justice Williams. Roll was called and passed unanimously. No questions or comments were made. Roll was called and the ordinance passed unanimously.

An appropriation ordinance was read (addendum C) to amend the 2021 Budget for certain salaries that had errors and amend the Prosecuting Attorney's budget, due to the office changing locations from Craighead to Crittenden County. A motion was made to accept the ordinance by Justice Tennison and seconded by Justice Williams. No comments. Roll was called and ordinance passed unanimously.

Welcome to Carolyn Lewis, new Justice of the Peace.

No public comment.

A motion was made to adjourn by Justice Rogers and seconded by Justice Percy.

Meeting ended at 6:06 p.m. and justices were dismissed to committees.

ORDINANCE NO. 2020-_____

BE IT ORDAINED BY THE QUORUM COURT OF CRAIGHEAD COUNTY,
ARKANSAS AN ORDINANCE TO BE ENTITLED:

**AN ORDINANCE SETTING FORTH PROFESSIONAL SERVICES TO INCLUDE
TECHNOLOGICAL NEEDS AND SERVICES RELATED AGREEMENTS, AND FOR
OTHER MATTERS**

WHEREAS, as a general matter, counties are prohibited by state law from using competitive bidding to procure various professional services as described by Ark. Code Annotated, Sections 19-11-801, and

WHEREAS, professional services listed in Ark. Code Annotated Section 19-11-801 are described as legal, architectural, engineering, land surveying, and such other consulting services as the political subdivision shall designate by two-thirds vote of its governing body, and

WHEREAS, Craighead County has the need to hire certain personal services that require special skill, experience, or particular business judgment. See AG opinion 94-286; 93-412, 91-308, and

WHEREAS, Craighead County is seeking a special skill and experience in the area of Software and Technology Security Measures, and

WHEREAS, the Quorum Court concurs in the importance of expanding the current listing of professional services to better serve the citizens of Craighead County.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, STATE OF ARKANSAS.

Section 1.

- 1) The County of Craighead, by authority in Ark. Code Annotated Section 19-11-801 *et. seq.*, extends professional services to include:

Desktop Management

Software and Data Management

Security and Firewall Management

Backup Solutions

Business Technological Needs

Section 2.

Severability. If any provision of this ordinance is held invalid, such invalidity shall not affect the remaining provisions of the ordinance, which remains effective, absent the invalid provision, and to this end, the provisions of this ordinance are declared to be severable.

PASSED AND APPROVED on this ____ day of _____, 2020.

Marvin Day, County Judge

ATTEST:

Lesli Penny, County Clerk

308

ORDINANCE NO. _____

BE IT ENACTED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE SETTING RULES OF PROCEDURE FOR THE CRAIGHEAD COUNTY QUORUM COURT."

WHEREAS, rules and procedures assure orderly conduct and encourage clear, efficient discussion of ideas; and

WHEREAS, the rules and procedures adopted by the Quorum Court should be reviewed on a regular basis and modified when necessary; and

WHEREAS, the rules and procedures shall be used for all regular and special meetings of the Quorum Court that are legislative in nature and, as applicable, to public hearing of the Quorum Court or its committees.

NOW, THEREFORE BE IT ORDAINED by the Quorum Court of Craighead County, Arkansas that:

Article 1. Regular Meetings

(a) The regular meetings of the Quorum Court will be held at the Craighead County Courthouse or location as established by the County Judge. The Finance Committee, Public Service and Road Committee will meet on the second Monday of each month; the full Quorum Court will meet on the fourth Monday of each month. All of the meetings shall begin at 5:30 p.m. unless the County Judge has the need to change the time or location.

(b) The order of business for regular Quorum Court meetings shall be;

- 1. Invocation;**
- 2. Pledge of Allegiance;**
- 3. Attendance roll call;**
- 4. Educational programs**
- 5. Approval of the previous meeting's minutes;**
- 6. Reports from committees;**
- 7. Old business;**
- 8. New Business;**
- 9. Announcements;**
- 10. Public Comment; and**
- 11. Adjournment**

Article 2. Special Meetings

As provided by Ark. Code Ann. §14-14-904 (c), the County Judge or a majority of the elected justices may call a special meeting of the Quorum Court upon at least twenty-four (24) hours notice by telephone, facsimile or electronic mail.

Article 3. Public Comment During Meeting

Any individual may be recognized by the presiding officer for comment. However, an individual shall not have more than three (3) minutes to speak on any one issue. If a member of the Quorum Court asks a question of an individual who has been recognized for comment, that individual shall have not more than (1) minute to respond. A two-thirds vote of the total membership of the Quorum Court shall be required to override this rule.

Article 4. Rules of Procedure-Adoption and Interpretation

- (a) Adopted. The rules of procedure for transacting business at Quorum Court meetings shall be those contained in the latest edition Of the "Procedural Guide for Arkansas County Quorum Court meetings" as prepared by the University of Arkansas and the Association of Arkansas Counties, except as otherwise provided by ordinance or where such guide is in conflict with the general laws of the State of Arkansas.**
- (b) Use. In any event where the "Procedural Guide for Arkansas County Quorum Court Meetings" is inadequate, the Quorum Court shall Abide by "Robert's Rules of Order."**
- (c) Interpretation. Any question as to the interpretation or application of the procedural guide or Robert's Rules will be referred to the parliamentarian of the Quorum Court, who will then make his or her interpretation to the presiding officer of the meeting. The County Attorney will serve as the parliamentarian of the Quorum Court. The application of the procedural guide or Robert's Rules will then be resolved by the presiding officer.**

Article 5. Agenda

(a) All proposed items to be considered by the Quorum Court at the regular monthly meeting shall be submitted in writing or emailed to the County Judge. Once the proposed items have been submitted, the County Judge or his/her designee shall assign them to an appropriate committee of the Quorum Court for consideration.

- 1. Each request shall have at least (1) Quorum Court member listed as a sponsor;**
- 2. Requests to have proposed items considered may require supporting documents that clearly state the reason(s) or justification(s) for the proposed item; and**

(b) An agenda including all ordinances, resolutions and appointments to be introduced to the Quorum Court shall be E-mailed to the Quorum Court members a minimum of five (5) days prior to the introduction at a Quorum Court meeting. All ordinances, resolutions and appointments shall be filed in the Craighead County Clerk's office. The agenda for each Quorum Court meeting shall be set by the Craighead County Judge. All reports to be submitted to the Quorum Court for review shall be included in the email preceding the Quorum Court meeting.

Article 6. Handling of Motions

A motion is a formal statement or proposition presented to the Quorum Court for consideration and action. Presenting and disposing of a motion follows this pattern:

- 1. Addressing the presiding officer and stating their reason for requesting recognition (e.g question, statement or motion);**
- 2. Recognition by the presiding officer;**
- 3. Statement of the motion by the member;**
- 4. Seconding the motion;**
- 5. Statement of the motion by presiding officer or chairperson;**
- 6. Reading of Ordinance or Resolution by County Clerk;**
- 7. Discussing the motion if applicable as not all motions are debatable; and**
- 8. Voting on the motion.**

Article 7. Passing Ordinances or Amendments to Ordinances

A concurrence by a majority of the whole number of the Quorum Court shall be required to pass any ordinance or amendment. All ordinances or amendments to existing ordinances of a general or permanent nature shall be fully and distinctly read on three (3) different days, unless two-thirds (2/3) of the members comprising the whole Quorum Court shall dispense with the rule.

This rule does not serve to:

- 1. Require a vote after each individual reading but vote only after the third and final reading.**
- 2. Require the ordinance or amendment to be read in its entirety on the first, second, or third reading; or**
- 3. Restrict the passage of emergency, appropriation, initiative, or referendum measures in a single meeting as provided by law.**

Article 8. Voting on Ordinances and Resolutions

- (a) Ordinance. To effect adoption of each ordinance, a roll call vote of each Quorum Court member shall be made as follows:
The first roll call vote taken at any meeting will be made in order according to the alphabetically listed names of the Quorum Court members. Subsequent roll call votes shall be made by moving the first name listed alphabetically and called first on the preceding roll call vote to the last roll call position and beginning the roll call with the next person's name listed alphabetically. Each subsequent roll call vote will follow this procedure.**
- (b) Resolution. The County Clerk shall read Resolutions by title only unless the presiding officer requests that it be read in its entirety. To effect passage of each resolution, a voice vote of the whole Quorum Court shall be made that allows the presiding officer to determine the results by the volume of the votes for and against the resolution. If the presiding officer is uncertain of the result, he or she may call for a roll call vote of each Quorum Court member.**
- (c) Motion to read by title only. In certain circumstances it may be desired for the County Clerk to read a proposed ordinance by title only. In those instances, before there is a motion to approve the ordinance, there must be a separate and distinct motion to suspend the rule to read by**

(Section 4.) SUBJECT MATTER: The subject matter for each of the standing committees shall be as follows:

1. Finance and Administration Committee shall have the responsibility of hearing and making recommendations to the Quorum Court on all matters concerning:

- 1. Matters of Tax**
- 2. General, Road and Entitlement Funds**
- 3. Finance and Management**
- 4. Purchasing**

2. County Services and Public Safety Committee shall have the responsibility of hearing recommendations to the Quorum Court on all matters concerning:

- 1. Personnel Systems**
- 2. Public Health and Safety**
- 3. Social Services**
- 4. General County Government**
- 5. Metropolitan Planning Commission**
- 6. Soil Conservation**
- 7. Solid Waste**
- 8. County Extension**
- 9. Planning and Development Functions**
- 10. Veterans Services**
- 11. Community Development Block Grants**
- 12. Child Support – Youth Services**
- 13. Election Commission**
- 14. Buildings – Insurance, Maintenance**
- 15. Constables**
- 16. Flood Insurance Program**
- 17. Fire Protection**
- 18. Courts**

In addition to the above, the County Services and Public Safety Committee shall have the responsibility of hearing and making recommendations to the Quorum Court on all matters concerning the operation of County Service Agencies and other matters as referred by the Quorum Court and making recommendations to the Quorum Court on all matters concerning:

- (1)County Highway System**
- (2)Matters of Public Right-of-way**
- (3)Transportation**

In addition to the above, the Transportation Committee shall have the responsibility of hearing and making recommendations to the Quorum Court on all matters concerning the County Highway System and other matters as referred by the Quorum Court.

(D) MEMBERSHIP OF COMMITTEES: Each committee shall consist of the following members from the Quorum Court.

- (1) Finance and Administration: 5 members**
- (2) County Services and Public Safety: 4 members**
- (3) Transportation: 4 members**

Article 13. Subcommittees:

Subcommittees may be formed by any of the standing committee. The standing committee chairman shall appoint members to each subcommittee; with the exception of the JESAP subcommittee whose membership is appointed by the County Judge. It is the intent of this section that every effort shall be made to prevent the proliferation of such committees and that any such subcommittee shall automatically cease to exist once it has completed its assigned task or on the first day of the next Quorum Court term.

(F) Committee review of Agenda Items:

All Quorum Court agenda items will be considered by at least one (1) of the standing committees. Any items not approved by at least one (1) of the committees will not appear on the full Quorum Court agenda, unless it is added to the agenda by a two-thirds (2/3) vote of the whole number of the Quorum Court.

(G) Modification

The Quorum Court may at any regular meeting revise or modify these rules or adopt new rules by a majority vote of the full membership.
The Quorum Court may at any regular meeting revise or modify these rules or adopt new rules by a majority vote of the full membership.

(H) Repealer

Craighead County Ordinances that are in conflicts with this ordinance are hereby repealed.

DATE _____

APPROVED _____

**MARVIN DAY
CRAIGHEAD COUNTY JUDGE**

ATTEST _____

**LESLI PENNY
CRAIGHEAD COUNTY CLERK**

APPROPRIATION ORDINANCE NO. _____

BE IT ENACTED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, ARKANSAS; AN ORDINANCE TO BE ENTITLED:

An Ordinance amending the 2021 Annual Operating Budget to amend Fund 1000, Dept 0418 certain salaries that were calculated in error on the 2021 budget as well as amend the Prosecuting Attorney budget, Fund 1000, Dept 0416 due to the relocation of the 2nd Judicial District Prosecuting Attorney's office from Craighead County to Crittenden County.

SECTION 1. Craighead County adopted the Johanson salary survey for the 2021 Annual Operating Budget based on recommendations. However, there were errors in calculations for three employees of the County Jail. Also, the office of the 2nd Judicial District Prosecuting Attorney has been moved to Crittenden County, therefore, the employee that was listed in Fund 1000, Department 0416, is removed from the 2021 budget and funds were added to line 3009 to pay the prorata share of expenses to Crittenden County.

SECTION 2. That Fund 1000, Department 0418, has certain 2021 salaries that were calculated in error and need to be revised in the Annual Operating Budget to allow for accurate tracking, disbursing and accounting in the Annual Operating Budget and that Fund 1000, Department 0418, County Jail, should be revised in the 2021 Operating Budget to correct these errors and that Fund 1000 Dept 0416 be amended to allow for changes associated with the Prosecuting Attorney's Office being relocated from Craighead County to Crittenden County.

| Fund 1000 | | <u>New</u> | <u>Change</u> | <u>Old</u> |
|-----------|------------------------------------|--------------|---------------|--------------|
| Dept 0418 | County Jail | | | |
| 1001 | Assistant Jail Administrator | \$50,494.19 | \$1,402.62 | \$49,091.57 |
| | Assistant Administrator - Juvenile | \$44,142.39 | \$1,237.64 | \$42,904.75 |
| | Maintenance Administrator | \$49,505.14 | \$1,401.09 | \$48,104.05 |
| | | | \$4,041.35 | |
| 1006 | Social Security Match | \$218,586.48 | \$309.16 | \$218,277.32 |
| 1007 | Retirement match | \$437,744.44 | \$619.13 | \$437,125.31 |
| | Total Change | | \$4,969.65 | |

| Fund 1000 | County General Fund | | | |
|-----------|---|-------------|---------------|-------------|
| Dept 0416 | Prosecuting Attorney | | | |
| Account | Description | <u>New</u> | <u>Change</u> | <u>Old</u> |
| | <u>Personal Services</u> | | | |
| 1001 | Salaries | \$0.00 | \$(35,620.20) | \$35,620.20 |
| 1006 | Social Security Match | \$0.00 | \$(2,724.95) | \$2,724.95 |
| 1007 | Retirement Match | \$0.00 | \$(5,457.01) | \$5,457.01 |
| 1009 | Health Insurance Match | \$0.00 | \$(7,577.00) | \$7,577.00 |
| 1010 | Workmen's Compensation | \$0.00 | \$(82.78) | \$82.78 |
| 1011 | Unemployment Compensation | \$0.00 | \$(288.00) | \$288.00 |
| 1012 | Other Fringe Benefits (incl wellness incentive) | \$0.00 | \$(50.00) | \$50.00 |
| 1017 | Vacation-Personal Time Buyback | \$0.00 | \$(1,000.00) | \$1,000.00 |
| 3009 | Other Professional Services (16-21-701) | \$23,610.62 | \$15,110.62 | \$8,500.00 |
| | Total Department Budget | \$23,610.62 | -\$37,689.32 | \$61,299.94 |

There is hereby appropriated \$4,969.65 into Fund 1000, Dept 0418 Craighead County Jail as outlined above to correct the errors made in the 2021 Annual Operating Budget and to reduce the funds in Fund 1000, Dept 0416 Prosecuting Attorney due to the relocating of the office from Craighead County to Crittenden County. These changes shall be established in the chart of accounts by the County Treasurer and entered into the accounts payable appropriations journal by the County Clerk as described, upon passage of this appropriations ordinance.

Dated this _____ day of January 2021.

Approved: _____
Marvin Day
Craighead County Judge

Attest: _____
Lesli Penny
Craighead County Clerk

316